

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

RENEE MOONIER,)	
)	
Plaintiff,)	
)	
v.)	No. 4:19 CV 1928 CDP
)	
ANDREW SAUL,)	
Acting Commissioner of Social Security,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter came before me on plaintiff Renee Moonier's appeal for judicial review of an adverse decision of the Social Security Administration. In a Memorandum, Order, and Judgment entered October 26, 2020, I reversed the Commissioner's decision and remanded the matter to the Commissioner for further administrative proceedings under sentence four of 42 U.S.C. § 405(g). Plaintiff now seeks an award of attorney's fees in the amount of \$4,246.00 inasmuch as she is a prevailing party, has a net worth of less than two million dollars, and incurred these fees in this action. 28 U.S.C. § 2412(d). Plaintiff also seeks taxable costs of \$400.00 for the filing fee. The Commissioner has agreed to the award of attorney's fees requested by plaintiff, and requests that any fee award be made payable in accordance with *Astrue v. Ratliff*, 560 U.S. 586 (2010). The Commissioner further agrees that plaintiff is entitled to taxable costs of \$400.00 for the filing fee, which

the government indicates will be paid by the U.S. Treasury Judgment Fund. Upon review of plaintiff's motion, the Commissioner's response, and the notice of settlement, I find the requested fees and the Commissioner's requested terms of payment to be reasonable.


Accordingly,

IT IS HEREBY ORDERED that plaintiff's Petition for Award of Attorney Fees Pursuant to the Equal Access to Justice Act [15] is **GRANTED**.

IT IS FURTHER ORDERED that, pursuant to 28 U.S.C. § 2412(d), plaintiff shall recover attorney's fees from the Social Security Administration in the amount of Four Thousand Two Hundred and Forty Six Dollars (\$4,246.00).

IT IS FURTHER ORDERED that, under the terms of the Fee Agreement executed by the plaintiff in this case, the award shall be made payable to attorney Traci L. Severs unless plaintiff has a pre-existing debt owed to the United States, in which case the award shall be made payable to the plaintiff and subject to offset to satisfy that debt.

IT IS FURTHER ORDERED that plaintiff's Motion for Bill of Costs [16] is **GRANTED** and the Clerk of Court shall tax as costs against the government the sum of Four Hundred Dollars (\$400.00).


CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 5th day of January, 2021.